

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Bruni Glass Packaging, Inc., a Florida
corporation,

CASE NO. CV 09-02398 CW

Plaintiff(s),

v.

Copain Wine Cellars, LLC, a California limited
liability company, and DOES 1-100 inclusive

STIPULATION AND ~~[PROPOSED]~~
ORDER SELECTING ADR PROCESS

Defendant(s).
_____ /

Counsel report that they have met and conferred regarding ADR and have reached the following stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

The parties agree to participate in the following ADR process:

Court Processes:

Non-binding Arbitration (ADR L.R. 4)

Early Neutral Evaluation (ENE) (ADR L.R. 5)

✓ Mediation (ADR L.R. 6)

(Note: Parties who believe that an early settlement conference with a Magistrate Judge is appreciably more likely to meet their needs than any other form of ADR, must participate in an ADR phone conference and may not file this form. They must instead file a Notice of Need for ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)

Private Process:

Private ADR (please identify process and provider) _____

The parties agree to hold the ADR session by:


✓ the presumptive deadline *(The deadline is 90 days from the date of the order referring the case to an ADR process unless otherwise ordered.)*

other requested deadline _____

Dated: 8/18/09

Dated: 8/18/09


Attorney for Plaintiff


Attorney for Defendant

When filing this document in ECF, please be sure to use the appropriate ADR Docket Event, e.g., "Stipulation and Proposed Order Selecting Early Neutral Evaluation."

~~PROPOSED~~ ORDER

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

Non-binding Arbitration

Early Neutral Evaluation (ENE)

✓ Mediation

Private ADR

Deadline for ADR session

✓ 90 days from the date of this order.
other

IT IS SO ORDERED.

8/21/09

Dated: _____



DISTRICT
UNITED STATES MAGISTRATE JUDGE

PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Idell & Seitel, LLP 465 California Street, Suite 300, San Francisco, California 94104.

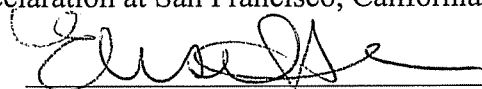
On August 18, 2009, I served the following document(s):

STIPULATION AND [PROPOSED] ORDER SELECTING ADR PROCESS

- ☒ by regular **UNITED STATES MAIL** by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.
- ☒ by **ELECTRONIC MAIL**. As this case is subject to the United States District Court for the Northern District of California ECF program, pursuant to General Rule 45, upon the filing of the above-entitled document(s) an automatically generated e-mail message was generated by the Court's electronic filing system and sent to the address(es) shown below and constitutes service on the receiving party.
- ☐ by **E-MAIL TRANSMISSION**, by electronically transmitting a true and correct copy of the document(s) in Adobe Acrobat format to the electronic mail addresses indicated below:
- ☐ by **FEDERAL EXPRESS**, by placing a true and correct copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Idell & Seitel LLP for correspondence for delivery by FedEx Corporation. According to that practice, items are retrieved daily by a FedEx Corporation employee for overnight delivery.
- ☐ by **FACSIMILE TRANSMISSION**, by placing a true and correct copy of the document(s) to be transmitted by facsimile machine to the number indicated after the address(s) noted below. The transmission was reported as complete and without error.
- ☐ by **PERSONAL DELIVERY**, by personally delivering a true and correct copy to the address noted below:

Philip J. Terry
 Angela G. Dennis
 Carle, Mackie, Power & Ross LLP
 100 B Street, Suite 400
 Santa Rosa, CA 95401

1 I certify and declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and I executed this declaration at San Francisco, California.

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